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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/525,788

09/26/2005

Tomoyuki Okada

P31936-02

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07/09/2009

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EXAMINER

ZHAO, DAQUAN

ART UNIT

PAPER NUMBER

2621

NOTIFICATION DATE

DELIVERY MODE

07/09/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/525,788	Applicant(s) OKADA ET AL.	
	Examiner DAQUAN ZHAO	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 48,59 and 70-72 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 48,59 and 70-72 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 48, 59, 70-72 have been considered but are moot in view of the new ground(s) of rejection.

Priority

2. Claiming Benefit to a Non-English Language Provisional Application

This application claims benefit to provisional application No. 60/409,999 filed on 9/12/2002 and application No. 60/440,623 filed on 1/17/2003, in a

language other than English. An English translation of the non-English language provisional application and a statement that the translation is accurate must be filed in each provisional application No. 60/409,999 and 60/440,623 See 37 CFR 1.78(a)(5).

The English translation of the non-English language provisional application and a statement that the translation is accurate required by 37 CFR 1.78(a)(5) are missing.

Accordingly, applicant must supply 1) the missing English translation of the non-English language provisional application and a statement that the translation is accurate in provisional application No. 60/409,999 and 60/440,623 and 2) in the present application, a confirmation that the translation and statement were filed in the provisional application. If 1) and 2) are not filed (or the benefit claim withdrawn by the filing of an amendment or Supplemental Application Data Sheet) prior to the expiration of the time period set in this Office action, the present application will be **abandoned**. See 37 CFR 1.78(a)(5)(iv).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 48, 59 and 70-72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamauchi et al (US 5,771,334) and further in view of Lamkin et al (US 7,178,106 B2).

For claim 48, Yamauchi et al teach a recording medium having video data, a plurality of programs, and a table recorded thereon, wherein one of the plurality of programs includes a command for branching, which instructs a playback device to perform branching based on a title number (e.g. figure 1, column 1, line 39- column 2, line 13, interactive titles are titles whose reproduction route dynamically changes in accordance with user operations made in response to menus that are displayed during the reproduction of the title; "Branch present" for species (5) and (6) of the title), the table includes (1) program identification information of each of the plurality of program, and (3) title numbers corresponding to the program identification information (e.g. figure 11, 14, column 19, lines 60-64, column 20, lines 13-19, column 22, lines 32-39, the "VM internal Title search pointer table shows "no branch between titles" flag is a flag for showing whether any branches to another title occur during the reproduction of a title", this mean branching between titles can happen when the "no branch between titles flag" is off using the title search pointer which represents the title number);

However, Yamauchi et al fail to teach mode information corresponding to the program identification information showing whether each of the plurality of programs belongs to a movie-mode or an enhanced-mode, the enhance-mode is a mode for causing a virtual machine to execute one or the plurality of programs belonging to the enhanced-mode.

Lamkin et al teach mode information corresponding to the program identification information showing whether each of the plurality of programs belongs to a movie-mode or an enhanced-mode, the enhance-mode is a mode for causing a virtual machine to execute one or the plurality of programs belonging to the enhanced-mode (e.g. abstract, figure 10, column 17, lines 10-36, column 4, lines 40-59, "InterActual" mode allow system to playback online content, wherein the online content is Javascript file, a Java virtual machine has to be used to execute the Javascript file). It would have been obvious to one ordinary skill in the art at the time the invention was made to incorporate the play back mode of Lamkin et al into the table information of Yamauchi et al to integrate the success of optical with the speed and accessibility of the internet for improvements of entertainment, computing, and academic disks (e.g. Lamkin et al, column 2, lines 55-67).

Claim 59 is rejected for the same reasons as discussed in claim 48 above, wherein Lamkin et al also teach one or the plurality of modules is a platform part of a virtual machine (e.g. column 5, lines 3-15, platforms such as Windows, Macintosh, and other platforms).

Claims 70 and 72 are rejected for the same reasons as discussed in claim 48 above.

Claim 71 is rejected for the same reasons as discussed in claim 48 above, wherein the examiner recognizes “a authoring device” has to be use to create the DVD application data.

Applicant’s amendment necessitated the new ground(s) of rejection presented in this office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEG § 706.07 (a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136 (a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing data of this action. In the event a first reply is filed within TWO MONTHS of the mailing data of this action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period. Then the shortened statutory period will expire on the data the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing data of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the data of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daquan Zhao whose telephone number is (571) 270-1119. The examiner can normally be reached on M-Fri. 7:30 -5, alt Fri. off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tran Thai Q, can be reached on (571)272-7382. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Daquan Zhao/

Examiner, Art Unit 2621

/Thai Tran/

Supervisory Patent Examiner, Art Unit 2621